

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

FILED

APR 1 AM 10:21  
CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

04/01/08 10:21 AM JU 0971

DEPUTY

UNITED STATES OF AMERICA )

v.

Daniel Baltazar Perez Saucedo

) Magistrate's Case No: *S*

) COMPLAINT FOR VIOLATION OF:

) 21 U.S.C. S 952 & 960 -

) Importation of a Controlled Substance

The undersigned complainant being duly sworn states:

**COUNT ONE**

On March 28, 2008, within the Southern District of California, Daniel Baltazar Perez Saucedo, did knowingly and intentionally import approximately 232.14 kilograms (510.70 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

*[Signature]*  
\_\_\_\_\_  
Signature of Complainant  
Special Agent, U.S. Immigration and  
Customs Enforcement

Sworn to before me and subscribed in my presence this 1<sup>ST</sup> day of April, 2008.

*[Signature]*  
\_\_\_\_\_  
UNITED STATES MAGISTRATE JUDGE

**PROBABLE CAUSE STATEMENT**

I, Special Agent Eric Povlish, declare under penalty of perjury, the following is true and correct:

At approximately 4:40 p.m., on March 28, 2008, Daniel Baltazar PEREZ Saucedo entered the United States from the Republic of Mexico via the Otay Mesa Commercial Facility. PEREZ was the driver and sole occupant of a 2002 white International box truck bearing CA/US license plate CP78223.

Customs and Border Protection Officer (CBPO) Crenshela Randolph was assigned to primary lane 7 when she was approached by PEREZ. PEREZ presented entry documents showing he was transporting gloves. CBPO Randolph noticed the vehicle had a limited crossing history and that the manifest was from a first-time consignee. CBPO Randolph referred the truck to the Secondary Dock for further inspection. PEREZ parked the vehicle in dock #63 and half of the cargo was unloaded. CBPO Randolph inspected the boxes which comprised the cargo and discovered a package wrapped in brown tape within one of the boxes. CBPO Randolph took the package into the office, where she opened it, revealing a leafy substance which field-tested positive for marijuana. A total of forty (40) packages were removed from the vehicle with a total weight of 232.14 kilograms (510.70 pounds).

On March 28, 2008 at 6:59 p.m., in the presence of Immigration and Customs Enforcement Special Agent (SA) Eric Povlish, SA Michael Payne advised PEREZ of his rights per Miranda in the Spanish language. PEREZ waived his Miranda Rights and agreed to answer questions without the presence of an attorney. PEREZ stated he was given the vehicle by his boss and told to drive it to an unknown location in Los Angeles, CA. PEREZ did not admit knowledge of

the marijuana concealed within the vehicle. PEREZ was subsequently transported and booked into the Metropolitan Correctional Center pending federal prosecution.

Executed on March 29, 2008 (date) at 10:27 am (time).

E. D. [Signature]  
Special Agent, US Immigration and Customs Enforcement

On the basis of the facts presented in the probable cause statement consisting of 2 pages, I find probable cause to believe that the defendant(s) named in this probable cause statement committed the offense on 3-28-08 in violation of Title 21, United States Code, Section(s) 952/960.

[Signature]  
United States Magistrate Judge

3/29/08 12:35 PM  
Date/Time